CLASSIFICATION OFFICE DECISION

Title of publication:	img20120707191757.jpg
Other known title(s):	Not stated
OFLC ref:	1400078.005
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Secretary for Internal Affairs
Classification:	Unrestricted.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	06 March 2014
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	05 March 2014

Summary of reasons for decision:

The computer image file depicts cropped image of a child in a swimming pool who is wearing a one piece swimming costume. While there is some focus on her torso there is no overt sexual intent and a sexual reading is not the only one available for this image. Therefore it cannot fairly be said to deal with matters of sex.
The image raises no issues under s3(1), s3A or s3B of the Films, Videos, and Publications Classification Act 1993. The publication must, therefore, be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.